Fact Sheet - October 1999

United States
Environmental
Protection Agency

US Army Corps
of Engineers
New England District

Long Island Sound Dredged Material Disposal EIS

Site Screening Process

Introduction

Three key Federal laws dictate the range of disposal alternatives that must be considered. They are:

- The National Environmental Policy Act (NEPA)
- The Clean Water Act (CWA)
- The Marine Protection, Research and Sanctuaries Act (MPRSA)

The National Environmental Policy Act (NEPA) requires Federal agencies to consider all reasonable alternatives in detail and discuss the reasons for eliminating alternatives from detailed study.

The Clean Water Act (CWA), in particular the Section 404(b)(1) guidelines promulgated by the U.S. Environmental Protection Agency (EPA) under the CWA, require the Corps to consider practicable alternatives to discharging dredged material into the water and alternative disposal sites within the water. The Section 404(b)(1) guidelines define practicable as "available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes."

In addition, the Section 103 criteria of the Marine Protection, Research and Sanctuaries Act (MPRSA) serve as the basis for evaluating and designating site(s) for the open water disposal of dredged material in Long Island Sound. In accordance with the MPRSA, the NEPA, and the EPA's procedures for the preparation of Environmental Impact Statements (EIS) on significant regulatory actions, EPA and the Corps of Engineers are preparing this EIS. This summary outlines the steps that will be used to define a full range of reasonable and practicable alternative sites, including alternatives that could be eliminated.

Zone of Siting Feasibility (ZSF)

The first step in the alternative disposal site location process is to set an appropriate area of consideration to ensure that a full range of reasonable and practicable alternatives are considered. This is called a Zone of Siting Feasibility (ZSF).

ZSF Considerations

A site(s) are to be located in areas where disposal will cause no unacceptable adverse effects and must be located within an economically and operationally feasible radius from the point of dredging. The location of the ZSF is dictated by several general factors:

- Cost of transporting dredged material to the disposal site.
- Type of dredging/disposal methods.
- Navigation restrictions.
- Political boundaries.
- Distance to the edge of the continental shelf (when feasible).

Study Area

The EPA and the Corps of Engineers identified the following preliminary "search area":

Open Water Sites: From the Historical Area Remediation Sites (HARS) eastward through New York Harbor and the East River, throughout Long Island Sound (LIS), to Fishers Island, Gardiners Bay, Peconic Bay, Block Island Sound, and the waters adjacent to Montauk, NY.

Upland Sites: Areas in Connecticut and New York up to 50 miles from the coast.

Nearshore and Beneficial Use Sites: From the HARS eastward through New York Harbor and the East River, throughout LIS to Fishers Island, Gardiners Bay, Peconic Bay, Block Island Sound and the waters adjacent to Montauk, NY.

The areas above comprise the study area for the preliminary ZSF area for the EIS.

Evaluation of Candidate Sites

Site Identification

Potential disposal sites within the ZSF will be identified by the EPA and Corps of Engineers, with input from Federal and State agencies and the public. Information to be gathered and/or evaluated for potential sites include:

- Formerly used dredged material disposal sites within the search area.
- Evaluation of potential upland sites within 50 miles of the coast.
- Evaluation of existing data and reports.
- Examination of NOAA nautical charts, USGS maps, available GIS data, state wetland maps and other maps.

Each potential candidate site(s)/area will be coded by type as follows:

- Open Water Aquatic Sites = OW
- Upland Sites = UL
- Beneficial Use Sites = BU
- Treatment Technologies = TT

Baseline Conditions

The existing data sources will be used to establish baseline conditions throughout the Sound and adjacent waters. Additional information gathered through public contacts/workshops and direct discussions with interest groups will supplement the database. As additional information and data are gathered in the course of field investigations, the information will be added.

Overview of the Screening Process

Short List of Alternatives

The sites and technologies will be evaluated in a tiered process. The result of this process will be a list of disposal sites representing a range of practicable and reasonable disposal site alternatives and alternative technologies, and ultimately a preferred alternative or alternatives for the EIS. The "short list" of sites and technologies will be evaluated in detail in the EIS. The site screening process will be coordinated with the Federal, State, local agencies and the public, through meetings, correspondence, and draft reports.

Evaluation Factors

Draft Evaluation Factors have been developed to screen alternative sites based on Federal and State statutes, regulations and issues associated with dredging. Federal and State agencies and the public will be provided an opportunity to review and comment on these factors at the October workshops, before they are applied as the basis for decisions on particular alternatives (see Draft Evaluation Factors Fact Sheet). Their application to individual sites and technologies will be reviewed.

There are five categories of evaluation factors:

- Factors for all sites.
- Factors for upland sites.
- Factors for alternative treatment technologies.
- Factors for aquatic beneficial use sites.
- Factors for open water sites.

As implied, the factors for all sites will be applied to all types of sites, in addition to the factors specially developed to consider the particular characteristics of the various site types. Factors for alternative treatment technologies will be considered for later application to harbor and project-specific situations. Factors were developed for beneficial use alternatives, rather than grouping them with open water sites, because these alternatives provide a net improvement in habitat, port, or park facilities. Upland beneficial uses (e.g., construction use) will be evaluated using the upland evaluation factors.

Phase 1 Screening

The evaluation factors will be applied in phases to each of the four categories of disposal site options (open water, upland, beneficial use sites, and technologies). The first phase is a screening process that develops a short list of potential sites by eliminating sites from further consideration because:

- They are clearly a poor choice for dredged material disposal because of the existing uses for the land (for upland sites).
- They are not reasonably accessible for the type of disposal proposed.
- The site(s) could not contain a sufficient quantity of material.

These sites are not considered feasible as disposal options and will be eliminated from further consideration in the EIS.

Phase 2 Screening

The second phase further screens the remaining sites and for placement in one of three groups:

- Sites for which a detailed evaluation will be completed.
- Sites eliminated from further evaluation, but could be reconsidered if additional significant information warrants.
- Sites that are eliminated from further evaluation.

Sites proposed for detailed evaluation may or may not ultimately be selected for disposal depending on the results of the detailed evaluations.

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